



RCE/3753  
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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	10/022,494
Filing Date	December 17, 2001
First Named Inventor	Michael J. Diana
Art Unit	3753
Examiner Name	John A. Rivell
Attorney Docket Number	3030-69441

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114 Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s)
- iv. ☐ Other \_\_\_\_\_
2. Miscellaneous
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_
3. Fees The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 10-0435
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 1720.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Richard D. Conard	Registration No. (Attorney / Agent)	27321
Signature	<i>Richard D. Conard</i>	Date	September 13, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

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Name (Print / Type)	Kim Tyree	Date	September 13, 2004
Signature	<i>Kim Tyree</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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02 FC:1253

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**BARNES & THORNBURG LLP**

11 South Meridian Street  
Indianapolis, Indiana  
46204  
(317) 236-1313  
(317) 231-7433 Fax



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Customer No.* 23643  
*Group:* 3753  
*Confirmation No.:* 2790  
*Application No.:* 10/022,494  
*Invention:* Color Changers  
*Inventor:* Michael J. Diana  
*Filed:* December 17, 2001  
*Attorney*  
*Docket:* 3030-69441  
*Examiner:* John A. Rivell

Certificate Under 37 CFR 1.8(a)

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on September 13, 2004

Kim Tyree  
(Signature)

Kim Tyree

(Printed Name)

**AMENDMENT**

Mail Stop RCE  
Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

In response to the July 13, 2004 advisory action, please amend the claims as indicated beginning on the following page.